CHILDREN OF FALLEN HEROES GRANT.—Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116–260), is amended—

(1) in section 401—

(A) in subsection (c)—

(i) in paragraph (2)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(ii) in paragraph (3)(A), by striking ''(2)(B)(i)'' and inserting ''(2)(A)(i)'';

(iii) by redesignating paragraph (5) as paragraph (7); and

(iv) by inserting after paragraph (4) the following:

''(5) PREVENTION OF DOUBLE BENEFITS.—No eligible student described in paragraph (2) may concurrently receive a grant under both this subsection and subsection (b).

''(6) TERMS AND CONDITIONS.—The Secretary shall award grants under this subsection in the same manner and with the same terms and conditions, including the length of the period of eligibility, as the Secretary awards Federal Pell Grants under subsection (b), except that—

''(A) the award rules and determination of need applicable to the calculation of Federal Pell Grants under subsection (b)(1) shall not apply to grants made under this subsection; and

''(B) the maximum period determined under subsection (d)(5) shall be determined by including all grants made under this section received by the eligible student and all grants so received under subpart 10 before the effective date of this subsection.''; and

(2) by striking section 420R (20 U.S.C. 1070h).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116–260) and subject to the effective date of section 701(b) of such Act.

(c) TRANSITION.—The Secretary shall take such steps as are necessary to transition from the Iraq and Afghanistan Service Grant program under subpart 10 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070h), as in effect on the day before the effective date of this section, and the provision of Federal Pell Grants under section 401(c) of the Higher Education Act of 1965 (20 U.S.C. 1070a(c)), as amended by the FAFSA Simplification Act and this Act.

SA 4726. Mr. KING (for himself, Mr. ROUNDS, Mr. SASSE, Ms. ROSEN, Ms. HASSAN, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—DEFENSE OF UNITED STATES INFRASTRUCTURE

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Defense of United States Infrastructure Act of 2021''.

SEC. 5002. DEFINITIONS.

In this division:

(1) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(2) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given such term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

TITLE LI—INVESTING IN CYBER RESILIENCY IN CRITICAL INFRASTRUCTURE

SEC. 5101. NATIONAL RISK MANAGEMENT CYCLE.

(a) AMENDMENTS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(1) in section 2202(c) (6 U.S.C. 652(c))—

(A) in paragraph (11), by striking ''and'' at the end;

(B) in the first paragraph designated as paragraph (12), relating to the Cybersecurity State Coordinator—

(i) by striking ''section 2215'' and inserting ''section 2217''; and

(ii) by striking ''and'' at the end; and

(C) by redesignating the second and third paragraphs designated as paragraph (12) as paragraphs (13) and (14), respectively;

(2) by redesignating section 2217 (6 U.S.C. 665f) as section 2220;

(3) by redesignating section 2216 (6 U.S.C. 665e) as section 2219;

(4) by redesignating the fourth section 2215 (relating to Sector Risk Management Agencies) (6 U.S.C. 665d) as section 2218;

(5) by redesignating the third section 2215 (relating to the Cybersecurity State Coordinator) (6 U.S.C. 665c) as section 2217;

(6) by redesignating the second section 2215 (relating to the Joint Cyber Planning Office) (6 U.S.C. 665b) as section 2216; and

(7) by adding at the end the following:

''SEC. 2220A. NATIONAL RISK MANAGEMENT CYCLE.

''(a) NATIONAL CRITICAL FUNCTIONS DEFINED.—In this section, the term 'national critical functions' means the functions of government and the private sector so vital to the United States that their disruption, corruption, or dysfunction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.

''(b) NATIONAL RISK MANAGEMENT CYCLE.—

''(1) RISK IDENTIFICATION AND ASSESSMENT.—

''(A) IN GENERAL.—The Secretary, acting through the Director, shall establish a recurring process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, the associated likelihoods, vulnerabilities, and consequences, and the resources necessary to address them.

''(B) CONSULTATION.—In establishing the process required under subparagraph (A), the Secretary shall consult with, and request and collect information to support analysis from, Sector Risk Management Agencies, critical infrastructure owners and operators, the Assistant to the President for National Security Affairs, the Assistant to the President for Homeland Security, and the National Cyber Director.

''(C) PUBLICATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall publish in the Federal Register procedures for the process established under subparagraph (A), subject to any redactions the Secretary determines are necessary to protect classified or other sensitive information.

''(D) REPORT.—The Secretary shall submit to the President, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on the risks identified by the process established under subparagraph (A)—

''(i) not later than 1 year after the date of enactment of this section; and

''(ii) not later than 1 year after the date on which the Secretary submits a periodic evaluation described in section 9002(b)(2) of title XC of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

''(2) NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

''(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary delivers each report required under paragraph (1), the President shall deliver to majority and minority leaders of the Senate, the Speaker and minority leader of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a national critical infrastructure resilience strategy designed to address the risks identified by the Secretary.

''(B) ELEMENTS.—Each strategy delivered under subparagraph (A) shall—

''(i) identify, assess, and prioritize areas of risk to critical infrastructure that would compromise or disrupt national critical functions impacting national security, economic security, or public health and safety;

''(ii) assess the implementation of the previous national critical infrastructure resilience strategy, as applicable;

''(iii) identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified;

''(iv) identify the Federal departments or agencies responsible for leading each national-level action, program, or effort and the relevant critical infrastructure sectors for each; and

''(v) request any additional authorities necessary to successfully execute the strategy.

''(C) FORM.—Each strategy delivered under subparagraph (A) shall be unclassified, but may contain a classified annex.

''(3) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date on which the President delivers a strategy under this section, and every year thereafter, the Secretary, in coordination with Sector Risk Management Agencies, shall brief the appropriate committees of Congress on—

''(A) the national risk management cycle activities undertaken pursuant to the strategy; and

''(B) the amounts and timeline for funding that the Secretary has determined would be necessary to address risks and successfully execute the full range of activities proposed by the strategy.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2217 and inserting the following:

''Sec. 2214. National Asset Database.
''Sec. 2215. Duties and authorities relating to .gov internet domain.
''Sec. 2216. Joint Cyber Planning Office.
''Sec. 2217. Cybersecurity State Coordinator.
''Sec. 2218. Sector Risk Management Agencies.
''Sec. 2219. Cybersecurity Advisory Committee.
''Sec. 2220. Cybersecurity education and training programs.

''Sec. 2220A. National risk management cycle.''.

(2) ADDITIONAL TECHNICAL AMENDMENT.—

(A) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking ''Homeland Security Act'' and inserting ''Homeland Security Act of 2002''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

TITLE LII—IMPROVING THE ABILITY OF THE FEDERAL GOVERNMENT TO ASSIST IN ENHANCING CRITICAL INFRASTRUCTURE CYBER RESILIENCE

SEC. 5201. INSTITUTE A 5-YEAR TERM FOR THE DIRECTOR OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) IN GENERAL.—Subsection (b)(1) of section 2202 of the Homeland Security Act of 2002 (6 U.S.C. 652), is amended by inserting ''The term of office of an individual serving as Director shall be 5 years.'' after ''who shall report to the Secretary.''.

(b) TRANSITION RULES.—The amendment made by subsection (a) shall take effect on the first appointment of an individual to the position of Director of the Cybersecurity and Infrastructure Security Agency, by and with the advice and consent of the Senate, that is made on or after the date of enactment of this Act.

SEC. 5202. CYBER THREAT INFORMATION COLLABORATION ENVIRONMENT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE INFORMATION.—The term ''critical infrastructure information'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(2) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(3) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(4) ENVIRONMENT.—The term ''environment'' means the information collaboration environment established under subsection (b).

(5) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term ''information sharing and analysis organization'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(6) NON-FEDERAL ENTITY.—The term ''non-Federal entity'' has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(b) PROGRAM.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, shall carry out a program under which the Secretary shall develop an information collaboration environment consisting of a digital environment containing technical tools for information analytics and a portal through which relevant parties may submit and automate information inputs and access the environment in order to enable interoperable data flow that enable Federal and non-Federal entities to identify, mitigate, and prevent malicious cyber activity to—

(1) provide limited access to appropriate and operationally relevant data from unclassified and classified intelligence about cybersecurity risks and cybersecurity threats, as well as malware forensics and data from network sensor programs, on a platform that enables query and analysis;

(2) enable cross-correlation of data on cybersecurity risks and cybersecurity threats at the speed and scale necessary for rapid detection and identification;

(3) facilitate a comprehensive understanding of cybersecurity risks and cybersecurity threats; and

(4) facilitate collaborative analysis between the Federal Government and public and private sector critical infrastructure entities and information and analysis organizations.

(c) IMPLEMENTATION OF INFORMATION COLLABORATION ENVIRONMENT.—

(1) EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Director of the Cybersecurity and Infrastructure Security Agency, and in coordination with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, shall—

(A) identify, inventory, and evaluate existing Federal sources of classified and unclassified information on cybersecurity threats;

(B) evaluate current programs, applications, or platforms intended to detect, identify, analyze, and monitor cybersecurity risks and cybersecurity threats;

(C) consult with public and private sector critical infrastructure entities to identify public and private critical infrastructure cyber threat capabilities, needs, and gaps; and

(D) identify existing tools, capabilities, and systems that may be adapted to achieve the purposes of the environment in order to maximize return on investment and minimize cost.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 1 year after completing the evaluation required under paragraph (1)(B), the Secretary, acting through the Director of the Cybersecurity and Infrastructure Security Agency, and in consultation with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, shall begin implementation of the environment to enable participants in the environment to develop and run analytic tools referred to in subsection (b) on specified data sets for the purpose of identifying, mitigating, and preventing malicious cyber activity that is a threat to public and private critical infrastructure.

(B) REQUIREMENTS.—The environment and the use of analytic tools referred to in subsection (b) shall—

(i) operate in a manner consistent with relevant privacy, civil rights, and civil liberties policies and protections, including such policies and protections established pursuant to section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485);

(ii) account for appropriate data interoperability requirements;

(iii) enable integration of current applications, platforms, data, and information, including classified information, in a manner that supports the voluntary integration of unclassified and classified information on cybersecurity risks and cybersecurity threats;

(iv) incorporate tools to manage access to classified and unclassified data, as appropriate;

(v) ensure accessibility by entities the Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, determines appropriate;

(vi) allow for access by critical infrastructure stakeholders and other private sector partners, at the discretion of the Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the Attorney General;

(vii) deploy analytic tools across classification levels to leverage all relevant data sets, as appropriate;

(viii) identify tools and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and

(ix) anticipate the integration of new technologies and data streams, including data from government-sponsored network sensors or network-monitoring programs deployed in support of non-Federal entities.

(3) ANNUAL REPORT REQUIREMENT ON THE IMPLEMENTATION, EXECUTION, AND EFFECTIVENESS OF THE PROGRAM.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the date that is 1 year after the program under this section terminates under subsection (g), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives a report that details—

(A) Federal Government participation in the environment, including the Federal entities participating in the environment and the volume of information shared by Federal entities into the environment;

(B) non-Federal entities' participation in the environment, including the non-Federal entities participating in the environment and the volume of information shared by non-Federal entities into the environment;

(C) the impact of the environment on positive security outcomes for the Federal Government and non-Federal entities;

(D) barriers identified to fully realizing the benefit of the environment both for the Federal Government and non-Federal entities;

(E) additional authorities or resources necessary to successfully execute the environment; and

(F) identified shortcomings or risks to data security and privacy, and the steps necessary to improve the mitigation of the shortcomings or risks.

(d) CYBER THREAT DATA INTEROPERABILITY REQUIREMENTS.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, shall identify or establish data interoperability requirements for non-Federal entities to participate in the environment.

(2) DATA STREAMS.—The Secretary, in coordination with the heads of appropriate departments and agencies, shall identify, designate, and periodically update programs that shall participate in or be interoperable with the environment, which may include—

(A) network-monitoring and intrusion detection programs;

(B) cyber threat indicator sharing programs;

(C) certain government-sponsored network sensors or network-monitoring programs;

(D) incident response and cybersecurity technical assistance programs; or

(E) malware forensics and reverse-engineering programs.

(3) DATA GOVERNANCE.—The Secretary, in coordination with the Secretary of Defense, the Director of National Intelligence, and the Attorney General, shall establish procedures and data governance structures, as necessary, to protect data shared in the environment, comply with Federal regulations and statutes, and respect existing consent

agreements with private sector critical infrastructure entities that apply to critical infrastructure information.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall change existing ownership or protection of, or policies and processes for access to, agency data.

(e) NATIONAL SECURITY SYSTEMS.—Nothing in this section shall apply to national security systems, as defined in section 3552 of title 44, United States Code, or to cybersecurity threat intelligence related to such systems, without the consent of the relevant element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(f) PROTECTION OF INTELLIGENCE SOURCES AND METHODS.—The Director of National Intelligence shall ensure that any information sharing conducted under this section shall protect intelligence sources and methods from unauthorized disclosure in accordance with section 102A(i) of the National Security Act (50 U.S.C. 3024(i)).

(g) DURATION.—The program under this section shall terminate on the date that is 5 years after the date of enactment of this Act.

TITLE LIII—ENABLING THE NATIONAL CYBER DIRECTOR

SEC. 5401. ESTABLISHMENT OF HIRING AUTHORITIES FOR THE OFFICE OF THE NATIONAL CYBER DIRECTOR.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the National Cyber Director.

(2) EXCEPTED SERVICE.—The term ''excepted service'' has the meaning given such term in section 2103 of title 5, United States Code.

(3) OFFICE.—The term ''Office'' means the Office of the National Cyber Director.

(4) QUALIFIED POSITION.—The term ''qualified position'' means a position identified by the Director under subsection (b)(1)(A), in which the individual occupying such position performs, manages, or supervises functions that execute the responsibilities of the Office.

(b) HIRING PLAN.—The Director shall, for purposes of carrying out the functions of the Office—

(1) craft an implementation plan for positions in the excepted service in the Office, which shall propose—

(A) qualified positions in the Office, as the Director determines necessary to carry out the responsibilities of the Office; and

(B) subject to the requirements of paragraph (2), rates of compensation for an individual serving in a qualified position;

(2) propose rates of basic pay for qualified positions, which shall—

(A) be determined in relation to the rates of pay provided for employees in comparable positions in the Office, in which the employee occupying the comparable position performs, manages, or supervises functions that execute the mission of the Office; and

(B) subject to the same limitations on maximum rates of pay and consistent with section 5341 of title 5, United States Code, adopt such provisions of that title to provide for prevailing rate systems of basic pay and apply those provisions to qualified positions for employees in or under which the Office may employ individuals described by section 5342(a)(2)(A) of such title; and

(3) craft proposals to provide—

(A) employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code; and

(B) employees in a qualified position for which the Director proposes a rate of basic pay under paragraph (2) an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

SA 4727. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. DISCLOSURES REQUIRED BY UNITED STATES FINANCIAL INSTITUTIONS INVESTING IN PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) require any United States financial institution that makes an investment described subsection (b) to disclose the amount and purpose, and potential impacts on the national defense, of such investments to the Secretary on an annual basis; and

(2) make such disclosures available to the public.

(b) INVESTMENTS DESCRIBED.—An investment described in this subsection is a monetary investment, in an amount that exceeds a threshold to be determined by the Secretary, directly or indirectly—

(1) to—

(A) the People's Republic of China;

(B) an entity owned or controlled by the Chinese Communist Party; or

(C) the People's Liberation Army; or

(2) for the benefit of any key industrial sector sponsored by the Chinese Communist Party.

(c) CONSOLIDATED REPORT.—Not less frequently than annually, the Secretary shall compile the disclosures submitted under subsection (a) and submit that compilation and a summary of those disclosures to the congressional defense committees.

(d) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section, which may include—

(1) requirements for documents and information to be submitted with disclosures required under subsection (a); and

(2) procedures for the determining the amount under subsection (b).

(e) DEFINITIONS.—In this section:

(1) FINANCIAL INSTITUTION.—The term ''financial institution''—

(A) has the meaning given that term in section 5312 of title 31, United States Code; and

(B) includes a private equity company, venture capital company, or hedge fund.

(2) UNITED STATES FINANCIAL INSTITUTION.—The term ''United States financial institution'' means a financial institution organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an institution.

SA 4728. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 576. COUNTERING EXTREMISM IN THE ARMED FORCES.

(a) COUNTERING EXTREMISM.—

(1) IN GENERAL.—Title 10, United States Code, is amended—

(A) in Part II of subtitle A, by adding at the end the following new chapter:

''CHAPTER 89—COUNTERING EXTREMISM

''§ 1801. Senior Official for Countering Extremism

''(a) DESIGNATION.—The Secretary of Defense shall designate an Under Secretary of Defense as the Senior Official for Countering Extremism.

''(b) DUTIES.—The Senior Official shall—

''(1) coordinate and facilitate programs, resources, and activities within the Department of Defense to counter extremist activities, to include screening of publicly available information and Insider Threat Programs;

''(2) coordinate with Federal, State, and local enforcement organizations to counter extremism within the Department of Defense;

''(3) coordinate with the Secretary of Veterans Affairs on addressing and preventing extremist activities following an individual's separation from the armed forces;

''(4) engage and interact with, and solicit recommendations from, outside experts on extremist activities; and

''(5) perform any additional duties prescribed by the Secretary of Defense, in consultation with the Secretary of Homeland Security.

''§ 1802. Training and education

''(a) IN GENERAL.—The Secretary of each military department, in coordination with the Senior Official for Countering Extremism, shall develop and implement training and education programs and related materials to assist members of the armed forces and civilian employees of the Department of Defense in identifying, preventing, responding to, reporting, and mitigating the risk of extremist activities.

''(b) CONTENT.—The training and education described in subsection (a) shall include specific material for activities determined by the Senior Official for Countering Extremism as high risk for extremist activities, including recruitment activities and separating members of the armed forces.

''(c) REQUIREMENTS.—The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall provide the training and education described in subsection (a)—

''(1) to a member of the armed forces, civilian employee of the Department of Defense, cadet at a military service academy, or an individual in a pre-commissioning program no less than once a year;

''(2) to a member of the armed forces whose discharge (regardless of character of discharge) or release from active duty is anticipated as of a specific date within the time period specified under section 1142(a)(3) of this title;